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RE: DOMINUS BURKE (400)

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ASSOCIATED PRESS WRITER

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NEW YORK, Oct. 9 (AP)—A court action through the restricted area over the plane crash last year enroute to Europe, possibly to be used in ousting a communist-inspired takeover of Portuguese colonies in Africa, a federal court has been told.

The border was one of seven held by 12-vintage planes when the U.S. government was charged that there was -- one a pilot and another a former royal air force pilot -- conspired to export illegally to Portugal without export licenses or the permission of the U.S. state department.

The court story of the border plane, its fourth year to know with the all

and another a former royal air force pilot -- conspired to export illegally to Portugal between May and September 1965.

The government contends the aircraft were flown without export licenses or the permission of the U.S. state department.

The court story of the border plane, its fourth year to know with the alleged involvement of the U.S. central intelligence agency (CIA) yet to be confirmed. U.S. attorneys have rested their case. Listening to the story in U.S. district court is a jury of 10 men and two women.

On trial was John R. Hawke, 40, a former war pilot living in Fort Lauderdale, Fla., and Henry H. Board, 40, a French court and businessman.

Gregory H. Board, 40, the third in order indictment, fled the country and is believed to be in Jamaica, West Indies. Board, a native of Australia and a naturalized U.S. citizen, formerly lived in Tucson, Ariz.

The government claims he coordinated contracts between two American companies based in Tucson, and a Swiss company, Lucan S.A., for the purchase of 20 aircraft destined for Portugal.

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According to testimony, Hawke flew the planes and Board was associated with one of the Tucson firms responsible for supplying the aircraft.

The government says seven bombers actually reached Portugal.

U.S. atty. Thomas Curtin said the case broke when a customs inspector noticed a supply of cigarettes, handbags, handbags and empty ammunition cans in a plane at Washington, D.C. Sept. 10, 1965.